



# PUBLIC NOTICE

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**DA 05-2865**

**Released: October 31, 2005**

## **WIRELESS TELECOMMUNICATIONS BUREAU ANNOUNCES FURTHER EXTENSION OF FILING AND REGULATORY DEADLINES FOR WIRELESS LICENSEES IN AREAS IMPACTED BY HURRICANE KATRINA**

Due to the devastation caused by Hurricane Katrina, President Bush issued a major disaster declaration for Louisiana, Mississippi, and Alabama ("affected states") on August 29, 2005.<sup>1</sup> Pursuant to our authority to waive rules for good cause<sup>2</sup> and to alleviate any additional burden that may have been caused by our filing requirements and regulatory deadlines, the Wireless Telecommunications Bureau (WTB) extended certain deadlines occurring between August 29, 2005 and October 30, 2005, until October 31, 2005 for affected licensees and applicants in these states.<sup>3</sup> In this context, "affected" licensees and applicants included those licensees and applicants that operate facilities, or, in a significant manner essential to the business operation, rely on personnel, records, or financial institutions located in these states to provide services or to conduct substantial business activities with the Commission.

Because of the continued devastation and recovery efforts in parts of the affected states and to further alleviate any additional burden that may be caused by our filing requirements and regulatory deadlines, the WTB further extends certain filing and regulatory deadlines for affected licensees and applicants in the affected states until November 30, 2005.<sup>4</sup> Specifically:

### **(1) Extending certain application, notification, and report deadlines**

We extend until November 30, 2005, deadlines associated with Wireless Radio Service<sup>5</sup> applications, notifications, and reports pursuant to Parts 1 (Subpart F only), 13, 20, 22, 24, 27, 74 (excluding Subparts A, G, and L), 80, 87, 90, 95, 97, or 101 of the Commission's rules occurring between August 29, 2005 and November 29, 2005, including, but not limited to, filings regarding license modifications, license renewals, and notifications of construction. Licensees filing in accordance with this extension must include with their filing a certification upon the penalty of perjury that the deadlines could not be met within the time otherwise provided in the Commission's rules because of the hurricane.

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<sup>1</sup> See <http://www.fema.gov/news/disasters/fema> (August 31, 2005).

<sup>2</sup> 47 C.F.R. § 1.3.

<sup>3</sup> See "Wireless Telecommunications Bureau Announces Extension of Filing and Regulatory Deadlines for Wireless Licensees in Areas Impacted by Hurricane Katrina," *Public Notice*, DA 05-2406 (WTB rel. Sept. 1, 2005).

<sup>4</sup> After November 30, 2005, requests for waiver related to Hurricane Katrina may still be filed; however, these requests will be considered on a case-by-case basis pursuant to the Commission's waiver standards.

<sup>5</sup> *Wireless Radio Services*. All radio services authorized in Parts 13, 20, 22, 24, 27, 74, 80, 87, 90, 95, 97 and 101 of this chapter, whether commercial or private in nature.

## **(2) Extending construction and other regulatory deadlines**

We also extend until November 30, 2005, all construction deadlines and other regulatory deadlines applicable to wireless radio services pursuant to Parts 1 (Subpart F only), 13, 20, 22, 24, 27, 74 (excluding Subparts A, G, and L), 80, 87, 90, 95, 97, or 101 of the Commission's rules occurring from August 29, 2005 to November 29, 2005.

## **(3) Expediting processing of special temporary authority (STA) requests**

In addition to the relief granted above, Section 1.931(a) of the Commission's rules is hereby waived on our own motion through November 30, 2005, to allow the filing of special temporary authority (STA) requests for Wireless Radio Services in manners other than electronically on FCC Form 601.<sup>6</sup> Furthermore, because the President issued a major disaster declaration for Louisiana, Mississippi, and Alabama, all STA filings related to Hurricane Katrina will be considered "emergency filings" pursuant to Section 1.915(b) of the Commission's rules<sup>7</sup> and will be processed as expeditiously as possible. Affected licensees must include a certification that the STA request is in response to the hurricane. To file STA requests via email or fax, or to receive an oral STA, licensees may contact the following personnel:

- Parts 22, 24, and 27 (excluding the Broadband Radio Service and Educational Broadband Service): James Gumbert (202) 418-1337; fax (202) 418-1412; [James.Gumbert@fcc.gov](mailto:James.Gumbert@fcc.gov).
- Parts 27 (Broadband Radio Service and Educational Broadband Service only), 74, and 101: Mary Shultz (717) 338-2656; fax (717) 338-2696; [Mary.Shultz@fcc.gov](mailto:Mary.Shultz@fcc.gov).
- Parts 87, 90, 95, and 97: Tracy Simmons (717) 338-2657; fax (717) 338-2696; [Tracy.Simmons@fcc.gov](mailto:Tracy.Simmons@fcc.gov).

Licensees are reminded that Sections 22.307, 90.407, and 101.205 of the Commission's rules address operation during periods of emergency for licensees authorized under these rule parts.<sup>8</sup> These rules allow licensees to provide emergency communications during a period of emergency in a manner or configuration not specified in the station authorization or in the rules governing such stations.

Finally, affected licensees and applicants are reminded to follow the procedures outlined in the October 21, 2005 Public Notice regarding guidance when submitting hurricane-related filings via the Universal Licensing System (ULS), including providing the required certification that the licensee or applicant was affected by Hurricane Katrina.<sup>9</sup>

By the Acting Chief, Wireless Telecommunications Bureau

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<sup>6</sup> 47 C.F.R. § 1.931(a).

<sup>7</sup> 47 C.F.R. § 1.915(b).

<sup>8</sup> 47 C.F.R. §§ 22.307, 90.407, 101.205.

<sup>9</sup> See "Extending Filing and Regulatory Deadlines for Wireless Licensees in Areas Impacted by Hurricanes Katrina and Rita," *Public Notice*, DA 05-2744 (WTB rel. Oct. 21, 2005). In this Public Notice, the WTB clarified Universal Licensing System (ULS) filing procedures for hurricane-related filings.